

TIVERTON TOWN COUNCIL AGENDA

Regular Meeting: Monday, April 26, 2010 at 7:00 p.m.

NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 04-22-2010

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Donald Bollin-President

JoAnne Arruda-Vice President

Hannibal Costa

Louise Durfee

Jay Lambert

Cecil E. Leonard

Edward Roderick

3. APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

4. A. BUSINESS BROUGHT BEFORE THE COUNCIL

CONSENT AGENDA:

- (C.A.) 1. a. Approval of Minutes from Regular Council Meeting April 12, 2010
b. Approval of Executive Session Minutes of April 12, 2010

- (C.A.) 2. Receipt of Minutes from the Following Boards, Commissions
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|------------------------------------|-------------------------------------|
| a. Economic Development Commission | e. Wastewater Management Commission |
| b. Tiverton Library Committee | f. Prevention Coalition |
| c. Zoning Board of Review | g. Board of Canvassers |
| d. Cemetery Commission | h. Municipal Bldg Adv Committee |
| | i. Recreation Commission |

- (C.A.) 3. Correspondence – Receive and File
- Received Resolution Opposing Mandatory Binding Arbitration Legislation from Town of Middletown, Town of West Warwick, Town of East Greenwich and City East Providence
 - Received Resolution Opposing “Endless Contracts from Town of West Warwick Town of Middletown and City of East Greenwich
 - Received Resolution Encouraging Return of 34th America’s Cup Challenge to Newport from Town of Charlestown, City of East Providence, Town of Warren and Town of Narragansett
 - Received Resolution Supporting Establishing a “Blue Alert” Program from Town of Jamestown and Town of Narragansett
 - Received Resolution Urging General Assembly Enact legislation for Bicyclist safety from Town of Jamestown
 - Received Resolution Supporting Legislation Requiring Seat belts on School Buses from Town of Warren
 - Received Resolution Supporting Legislative Amendments to Protect RI Cities and Towns and Public Officials/Employees from City of East Providence
 - Received Resolution Supporting Relief of Mandated Programs from Town of West Warwick
 - Received Resolution Supporting Postponing Budget and FTM’s for Fiscal Year 2010-11 from Town of Foster

- j. Received from Town of South Kingstown Acknowledging Tiverton's Proposed Legislation to Allow Postponing FTM for FY 2011
 - k Received from Town of North Kingstown Resolution Supporting RI National Guard Living Memorial Donation
- (C.A.) 4. Planning Board - Draft Zoning Ordinance Text Amendment Regarding New Article Titled "Wind Energy Conversion Facilities" – Request Public Hearing June 14th
- (C.A.) 5. Planning Board Recommendation Regarding Zoning Ordinance Text and Map Amendment Request Submitted by the Tiverton Yacht Club - Continued From January 25th for Ethics Advisory Opinions – Further Continued to May 10th
- (C.A.) 6. Alex Cacheco – a. Request Approval for 5K Run/Walk and Bike Ride Memorial for John Toulon on July 31 with Rain Date of August 7th Subject to Meeting Police Chief Requirements – Chief Memo Attached
b. Approval of Public Hearing for Noise Variance at 69 Nanaucket on July 31st for Live Music on May 24th

B –PUBLIC HEARING – (ADVERTISED)

C- BOARD OF LICENSING COMMISSIONERS

1. Charles R. Mulcahy, 65 Beech Avenue – Request Approval of Annual Renewal of Private Detective License – April 13, 2010 to April 12, 2011 – Subject to Meeting All Legal Requirements – Response from Chief Blakey - Continued from April 12th Meeting
2. Roger N. Dupont, 28 Salisbury Street – Request Approval of Annual Renewal of Private Detective License – May 15, 2010 to May 14, 2011 – Subject to Meeting All Legal Requirements – Response from Chief Blakey
3. Nancy Walker, dba Artisan Antiques, 2423 Main Road – Request Approval of Antique License – Subject to Meeting All Legal Requirements

D - APPOINTMENTS & RESIGNATIONS:

E - UNFINISHED BUSINESS:

1. Approval of Petition for Verizon New England and Narragansett Electric for Three New Joint Poles and Relocate One Joint Pole on Cornell Road
Response From S. Berlucchi, DPW Director – Continued for Solicitor Review From April 12th Meeting – Solicitor Response Attached
2. Town Treasurer, P. DiMattia – Distribution of Quarterly Investment Reports
Continued From April 12th Meeting
3. Town Council – Standby Motion to Approve Excess Levy for Financial Town Meeting – Continued From March 22nd Council Meeting – Relocated on Agenda and Not Discussed

F – FINANCIAL BUSINESS:

G - NEW BUSINESS:

1. Gary Plunkett, Representative to East Bay Energy Consortium – Request Permission to Erect a 150-meter “MET” Tower at the Industrial Park to Measure Wind Velocities
2. Economic Development Commission – Brief Informational PowerPoint Presentation Informing Council and Public of May 27th Public Meeting to Promote Tiverton Economic Development
3. Laura Epke, Municipal Buildings Feasibility Advisory Committee Chair
 - a. Clarification of Committee’s Charge
 - b. Permission to Include Municipal Buildings Survey in Tax Bill Mailing
4. Town Administrator – Request Council Approval of Extension of Department Head Contracts With No Cost Impact to June 2011
 - a. Police Chief Thomas Blakey
 - b. Senior Director Janice Gomes
 - c. Wastewater Superintendent John Lincourt
 - d. Tax Assessor David Robert
 - e. Planner Christopher Spencer

H – BIDS AND REQUESTS FOR PROPOSALS

1. Recreation Commission – Request Approval to Award Bid for Fencing on Bulgarmarsh Road Playground – Recommendation Cosco, Inc., Woonsocket, RI for \$5,900
2. Recreation Commission – Request Approval to Award Bid for Coating & Striping Bulgarmarsh Road Recreation Basketball Courts
3. Fogland Beach Oversight Committee – Request Approval to Award Bid for Fogland Beach Survey/Mapping Project to Civil Engineering concepts, Inc., Little Compton for \$14,950

I - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

1. Councilor Lambert - Financial Town Meeting

K – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS

5. CLOSED EXECUTIVE SESSION

1. Town Solicitor - Litigation – 42-46-5(a) (2)
2. Town Solicitor - 42-46-5(a)(6) – Prospective Business or Industry

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended

6. **ADJOURNMENT** Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

